



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/750,606

12/28/2000

Ammar T. Degani

D/A0616 XER 2 0380

6751

7590

07/28/2004

Albert P. Sharpe, III, Esq.
Fay, Sharpe, Fagan, Minnich & McKee, LLP
7th Floor
1100 Superior Avenue
Cleveland, OH 44114-2518

EXAMINER

BRINICH, STEPHEN M

ART UNIT

PAPER NUMBER

2624

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,606

Applicant(s)

DEGANI ET AL.

Examiner

Stephen M Brinich

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 2624

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 9, 11-15, & 19 are rejected under 35

U.S.C. 102(b) as being anticipated by Ng et al or Ohja.

Re claims 1 & 11, Ng et al (Abstract; Figure 3; column 5, lines 10-58) or Ohja (Abstract; Figure 6; column 10, line 24 - column 11, line 15) discloses a method for color printing in which the individual pages of a multi-page (Ng et al column 6, lines 2-3; Ohja column 8, lines 19-21) document are provided with identifying and selecting codes indicating which pages are to be subjected to various editing operations. Some of these codes identify pages to color improvement operations (e.g. the application of spot color as described by Ng et al column 6, line 14; Ohja column 8, line 10) are to be applied.

A plurality of different color improvement operations (e.g. various different spot colors as described by Ng et al column 5, lines 44-48; Ohja column 10, lines 50-51) may be specified on

Art Unit: 2624

various document sheets; thereby assigning which pages are subject to which color improvement operation. The color printing system then processes each document page and performs each operation upon the pages respectively assigned to that operation.

Further re claims 1 & 11 and also re claims 2-5 & 12-15, the highlighter marking of document pages assigns pages to a first, second, third, etc. color improvement operation. Re claims 4-5 & 14-15, these subsets are unequal in the case where the operator has applied highlighter markings in such a way as to assign certain pages to some of these subsets and not others. The color printing system (as it detects and interprets these symbols) then determines whether the page being processed is part of the subset of pages assigned to any of these first, second, third, etc. color improvement operations (Ng et al column 5, lines 26-35 & column 7, lines 42-63; Ohja et al column 10, lines 24-56 & column 12, lines 37 - column 13, line 5).

Re claims 9 & 19, Ng et al (Abstract lines 1-3 & 1620) or Ohja (Abstract lines 13-15) disclose that the resulting document pages are reproduced as hard copy upon a recording medium.

Art Unit: 2624

Claim Rejections - 35 USC § 103

3. Claims 6-8, 10, 16-18, & 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng et al or Ohja in view of Applicant's admitted Prior Art.

Re claims 6-8 & 16-18, Ng et al or Ohja disclose various examples of image processing operations, but do not disclose expressly black overprint, anti-aliasing, or trapping.

Applicant's admitted Prior Art discloses the use of black overprint, anti-aliasing, and trapping to improve the appearance of a printed page (page 2, line 21 - page 3, line 1). Ng et al or Ohja and Applicant's admitted Prior Art are combinable because they are from the field of document printing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use black overprint, anti-aliasing, and trapping to produce a hard copy of a document.

The suggestion/motivation for doing so would have been to improve the appearance of a printed page.

Therefore, it would have been obvious to combine Ng et al or Ohja and Applicant's admitted Prior Art to obtain the invention as specified in claims 6-8 & 16-18.

Art Unit: 2624

Re claims 10 & 20, Ng et al (column 1, line 17) or Ohja (column 1, line 15) disclose electrophotographic printing, but do not disclose expressly xerographic printing.

Applicant's admitted Prior Art discloses the use of xerographic printing (page 2, line 8). Ng et al or Ohja and Applicant's admitted Prior Art are combinable because they are from the field of document printing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use xerographic printing to produce a hard copy of a document.

The suggestion/motivation for doing so would have been to use a standard xerographic print engine to implement a printing operation.

Therefore, it would have been obvious to combine Ng et al or Ohja and Applicant's admitted Prior Art to obtain the invention as specified in claims 10 & 20.

Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Art Unit: 2624

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.


Stephen M Brinich
Examiner
Art Unit 2624

smb
July 20, 2004